

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

Peter Harris and Loni Harris,

*Plaintiffs,*

v.

Upwintrade.com, a business  
association, David Shamlian, an  
individual, and John Does 1 – 20,

*Defendants.*

Case No. 1:24-cv-00313

**[Proposed] Order Granting  
Plaintiffs' Motion for *Ex  
Parte* Temporary  
Restraining Order &  
Expedited Discovery**

Plaintiffs have filed a Motion for *Ex Parte* Temporary Restraining Order and Expedited Discovery (the “Motion”), in which they seek an order requiring the freezing of the accounts associated with 29 deposit addresses at several cryptocurrency exchanges and authorization to issue subpoenas to various third parties likely to be in possession of information about the Defendants. The Court has reviewed Plaintiffs’ Motion and finds that, for the reasons set out therein, they face a risk of irreparable harm if the requested relief does not issue and notice to the Defendants should not be required. Accordingly, Plaintiffs’ Motion is hereby GRANTED.

## I. Restraining Order

Plaintiffs have submitted evidence tracing the assets they allege were stolen from them to 29 deposit addresses at the cryptocurrency exchanges Binance, Revolut, Remitano, and ByBit (the “Receiving Addresses”). The Receiving Addresses are:

Exchange	Address
Binance	13mLDAfVfyzD8Vf6x9YZ5pALc3g8TXqPix
Binance	1MUxDUmHAVskKATJDCWgk8SJ9ZBHreZAbh
Binance	1DMhMwn4apg49oVjRpbaZqJDDLJaN6iqox
Binance	13WWx7qQ1QBoY2E3sjaRrzvWzg2JJkDAgg
Binance	1PvjGd7aCpvRzZtz4kL9YgdvnYPdpm16oj
Revolut	bc1q7gku9m33re89mes97dwq4lawwxg3hj6g28umcy
Remitano	38ZWvd5Be2PqMu5xcvy9PY3T4frKvniNyf
Remitano	38Ep5mFzh6oNbuFXSL1Hvk3g1TwXUMX8xv
Remitano	3M5RWiGdcEDRseLUqaG15HgPLL7bf3644A
Remitano	3A34Ggh1EUNXe4K8ayTLNLdKYAUDTnEU63
Remitano	3MoVdQzjhYJrz9umg4v1oBRRz5pe9kZVcu

Remitano	3A3NqjhLiexUzcfgGuVo19uzux8rnbqSVE
Remitano	3CaPngqFGiu8kSLEcp9uM5JvK97RdAGHBU
Remitano	3KE6diBJr2yCcd9HEUxH5KNd86s2tzPW2N
Remitano	3B9GDHG6WgrWeavz247zAvbd5WrC8rYF7y
Remitano	3KKGPBqG2GW5PNVmktjoJwsSoGmfrvVTBB
Remitano	3G1gfTQn81jgaPUCWCoSr8j17AtiWn17uy
Remitano	3DGPg9Lh6iLSkxYf9UZxzxjcUKo36xUva9
Remitano	3D8JCs231iJxK8Jx86pJ4TAWrAAtbRxRPW
Remitano	33heGnSTbA6U7WrfMBYoWYgCRBek2MrKTA
Remitano	3AymDrgNq3WQZaNLh4vxLe8bxVzGaHqQhz
Remitano	31jJbyCxErbbfkuGP1dtz2Pz9jt9SWNv83
Remitano	35wtpq7h7AjMP2xaS9yNa8T9cgJfUUm5RW
Remitano	3BjbZnAwmmxvQFnibcyGRd8SAwM6xTLYpA
Remitano	3CZ6NHrctR8ceWwyYyJQXP96PMAqEs5J4a
Remitano	3KSpJdiRmej8XkqCYswa58pff127b7nQxc
Remitano	39TPPnjRGB8ANVbs1K7RFoBBDNtvXWtECj

ByBit	1HyTkypyP8yoRGSRRvr74SyEhhX1bkLMiQ
ByBit	14rxMsRQV5fkTDb3ShorD91xQvdwp34hjb

For the reasons set out in the Motion, the Court finds that the accounts associated with these deposit addresses should be frozen. Accordingly, The Court hereby ORDERS that Defendants and their agents, servants, employees, attorneys, partners, successors, assigns, and all other persons or entities through which they act or who act in active concert or participation with any of them, who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary, division or other device, or any of them, are hereby restrained from withdrawing, transferring, or encumbering any assets currently held by, for, or on behalf of the persons controlling the accounts associated with the above-listed Receiving Addresses, or any business entity through which they act or which acts in active concert or participation with them; including but not limited to those assets currently held at or for the Receiving Addresses.

In accordance with Fed. R. Civ. P. 65(b)(2), this Order will expire fourteen (14) days from its entry unless it is extended for good cause shown. No bond shall be required to be posted by Plaintiff.

## **II. Expedited Discovery**

The Court finds that Plaintiffs' request to issue expedited discovery should be granted for the reasons set out in the Motion. Plaintiffs are

authorized to serve subpoenas on the third parties identified in their Motion. In light of the time-sensitivity of Plaintiffs' subpoenas to the cryptocurrency exchanges to which their assets were ultimately transferred, Plaintiffs are further authorized to serve their subpoenas on these exchanges via email directed to the following addresses.

<b>Recipient</b>	<b>Service Address</b>
Binance, Ltd.	legal@binance.com compliance@binance.com
Revolut Technologies, Inc.	legal@revolut.com compliance@revolut.com
Babylon Solutions Limited	legal@remitano.com compliance@remitano.com
Bybit Fintech Limited	legal@bybit.com compliance@bybit.com

All subpoenaed parties shall produce the materials sought in the subpoena to Plaintiffs' counsel within seven (7) days of their receipt of Plaintiffs' subpoena and this Order.

The Court finds that any privacy interest the Defendants have in the documents requested by Plaintiffs is outweighed by the need to investigate and prosecute the theft and conversion alleged in the complaint. Such privacy

concerns shall not be good cause for the subpoenaed party to withhold the requested material.

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Date

Dated: August 2, 2024

Prepared By:

THE HODA LAW FIRM, PLLC

A handwritten signature in black ink, appearing to read "M. Hoda", enclosed within a large, loopy circular flourish.

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